

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

TYIESHA WOOTEN,)	
)	
Plaintiff,)	Case No. 2:18-cv-02242
)	
v.)	Judge Lipman
)	
PARK HOTELS AND RESORTS, INC.,)	Magistrate Judge Claxton
d/b/a HAMPTON INN AND SUITES)	
)	
Defendant.)	

DEFENDANT’S MOTION TO DISMISS AND COMPEL ARBITRATION

Pursuant to Federal Rule of Civil Procedure 12(b)(1) and the Federal Arbitration Act, 9 U.S.C. §§ 3 and 4, Defendant Park Hotels and Resorts, Inc. (“Defendant”) respectfully moves this Court to dismiss the Amended Complaint and compel arbitration of Plaintiff Tyiesha Wooten’s (“Plaintiff”) claims. Plaintiff is required to submit all of her claims to arbitration pursuant to a valid and binding arbitration agreement. Accordingly, Plaintiff must arbitrate her claims against Defendant and not litigate them.

The parties have conferred regarding this Motion and were unable to reach an accord as to all issues raised in this Motion.

In support of this Motion, Defendant relies upon the following:

- (1) Memorandum of Law; and
- (2) Exhibit 1, Declaration of Jill Olander and accompanying exhibits.

WHEREFORE, Defendant Park Hotels and Resorts, Inc. respectfully requests that the Court enter an Order:

- A. Dismissing Plaintiff's Amended Complaint against Park Hotels and Resorts, Inc.;
 - B. Compelling Plaintiff to arbitrate her claims against Park Hotels and Resorts, Inc.;
- and
- C. Granting Defendant Park Hotels and Resorts, Inc. such further relief as is just and proper.

Respectfully submitted,

s/ Rachel R. Rosenblatt

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CERTIFICATE OF SERVICE

I hereby certify that, on this 18th day of May, 2018, a copy of the foregoing was filed via the Court's electronic filing system and served upon the following:

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s/ Rachel R. Rosenblatt
Rachel R. Rosenblatt